

HOUSE BILL 1074

By Rich

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 6, relative to certain attorneys performing duties for the state.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The Tennessee Code Commission is directed to move all sections of Tennessee Code Annotated, Title 8, Chapter 6, Part 1, except § 8-6-101 and as provided in Sections 2 and 3, to Title 8, Chapter 6, Part 2, and to move the present language in Title 8, Chapter 6, Part 2 to Title 8, Chapter 6, Part 1 to be renumbered accordingly.

SECTION 2. Tennessee Code Annotated, Section 8-6-109(a), is amended by deleting the subsection in its entirety and by adding the following language to Title 8, Chapter 6, Part 1 as a new, appropriately number section:

8-6-1\_\_\_. The attorney general and reporter has and shall exercise all duties vested in the office pertaining to reporting the decisions of the court of appeals, the court of criminal appeals and the supreme court of Tennessee in the manner prescribed by this part.

SECTION 3. Tennessee Code Annotated, Section 8-6-109(b), is amended by deleting subdivision (7) in its entirety. The Tennessee Code Commission is directed to move the remaining language in § 8-6-109 to Title 8, Chapter 6, Part 2 as a new, appropriately numbered section.

SECTION 4. Tennessee Code Annotated, Title 8, Chapter 6, Part 2, is amended by adding the following language as a new section as follows:

8-6-201.

(a) There is created within the executive branch of government the office of solicitor general of Tennessee.

(b) The solicitor general of Tennessee shall be appointed by a joint vote of the general assembly for a term of four (4) years. The solicitor general shall perform the duties of the office as required by this part, and parts 3 and 4 of this chapter, as well as other duties as prescribed by law.

(c) The solicitor general of Tennessee shall:

(1) Be subject to any penalty prescribed by law;

(2) Be a graduate of an accredited law school and be licensed in the state of Tennessee;

(3) Have such training or practical experience as may be deemed necessary to perform the duties of the office;

(4) Receive a compensation for services as set by the general assembly;

and

(5) Not be allowed any fees or perquisites of office nor hold any other office of trust or profit under this state or the United States.

(d) Whenever the office of solicitor general becomes vacant, by death, resignation, or otherwise, during the recess of the general assembly, the governor shall immediately fill it by appointing a person qualified to discharge the duties until the general assembly reconvenes and fills the vacancy for the remaining term of office.

#### SECTION 5.

(a) Personnel, positions equipment and other resources associated with employees primarily engaged in activities assigned to the attorney general and reporter shall remain in the office of the attorney general and reporter.

(b) Personnel, positions equipment and other resources currently associated with employees of the attorney general and reporter primarily engaged in activities assigned to the solicitor general for Tennessee shall be transferred to the office of the solicitor general.

SECTION 6. As code sections are amended and volumes are replaced, the Tennessee Code Commission shall change any designations for “attorney general and reporter” which should be changed to “solicitor general for Tennessee” in Title 8, Chapter 6, Part 2, as amended, and Parts 3 and 4 and elsewhere based on the activities assigned to the solicitor general for Tennessee, and keep the designations for “attorney general and reporter” in Title 8, Chapter 6, Part 1, as amended, and elsewhere based on the activities assigned to the attorney general and reporter.

SECTION 7. This act shall take effect July 1, 2011, the public welfare requiring it.